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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KAREN NOVICK,

09 CV 6865 (RKE)

Plaintiff,

NOTICE OF MOTION

-against-

METROPOLITAN LIFE INSURANCE COMPANY
AND METLIFE OPTIONS AND CHOICES PLAN
NO. 512,

ECF Case

Defendants.

-----X

PLEASE TAKE NOTICE that, upon the accompanying Affirmation of Alan H. Casper, dated January 23, 2013, and the exhibits annexed thereto, Affirmation of Scott M. Riemer, dated January 23, 2013, and the exhibits annexed thereto, and the Memorandum of Law simultaneously filed herewith and upon all prior pleadings and hearings previously had herein, plaintiff will move this Court before the Honorable Richard K. Eaton, sitting by designation at the United States District Court, 500 Pearl Street, New York, New York, 10007, at a time designated by the Court, for an order awarding attorneys' fees and costs under ERISA §502(g)(1), prejudgment interest at the 9% New York statutory interest rate, and for such other relief as the Court deems just and proper.

Dated: Philadelphia, PA
January 23, 2013

/s/ Alan H. Casper

Alan H. Casper, Esquire
PA Attorney I.D. #47081
Attorney for Plaintiff
1845 Walnut Street – Suite 1500
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Dated: New York, New York
January 23, 2013

RIEMER & ASSOCIATES LLC
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By: /s/Scott M. Riemer

Scott M. Riemer (SR5005)

TO:

Michael H. Bernstein, Esq.
Sedgwick LLP
225 Liberty Street, 28th Floor
New York, NY 10281-1008
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CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2013, I served a true and complete copy of the foregoing Notice of Motion by transmitting the same by electronic mail to the following individuals at the e-mail addresses indicated:

Michael H. Bernstein, Esq.
Sedgwick LLP
225 Liberty Street, 28th Floor
New York, NY 10281-1008
Michael.Bernstein@sedgwicklaw.com

I also certify that this document filed through the ECF system will be sent electronically to all registered participants on January 23, 2013.

Dated: New York, New York
January 23, 2013

/s/ Scott M. Riemer

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